

**DECLARATION AND POWER OF ATTORNEY**

Attorney's Docket No. 05213-0185

In re Application of: John W. Holaday, Peter H. Meserol, Doug Doerfler, Vininder Singh and Shawn J. Green

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Flow Electroporation Chamber and Method**, the specification of which was filed on September 15, 1999 as Application No. 09/397,303.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. I understand that I have a duty of candor and good faith toward the Patent and Trademark Office, and I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

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Application No.	Country	Filing Date	Priority Claimed Under 35 USC §119
			Yes _____ No _____

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date	(Application No.)	(Filing Date)
60/004,906	October 6, 1995		

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter disclosed and claimed in the present application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status: patented, pending, abandoned
08/627,843	March 11, 1996	Pending

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

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Send correspondence to: **JONES & ASKEW, LLP**  
2400 Monarch Tower, 3424 Peachtree Road N.E.  
Atlanta, GA 30326

Direct telephone calls at (404) 949-2400

Sima Singadia Kulkarni, Esq.

Full name of sole or first inventor: John W. Holaday	Citizenship: USA
Inventor's signature: <i>[Signature]</i>	Date: 12-07-99
Residence and Post Office Address: 6802 Hillmead Road, Bethesda, Maryland 20817	

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<u>08/627,843</u>	<u>March 11, 1996</u>	<u>Pending</u>

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Atlanta, GA 30326

Direct telephone calls at (404) 949-2400

Sima Singadia Kulkarni, Esq.

Full name of sole or first inventor: <u>Peter H. Meserol</u>	Citizenship: <u>USA</u>
Inventor's signature: <u>[Signature]</u>	Date: <u>28 NOV 99</u>
Residence and Post Office Address: <u>12 Stonybrook Road, Montville, New Jersey 07045</u>	

**DECLARATION AND POWER OF ATTORNEY**

Attorney's Docket No. 05213-0185

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Sima Singadia Kulkarni, Esq.

Full name of sole or first inventor: Doug Doerfler	Citizenship: USA
Inventor's signature: <i>[Signature]</i>	Date: December 7, 1999
Residence and Post Office Address: 15200 Sprigg Meadows Drive, Darnestown, Maryland 20874	

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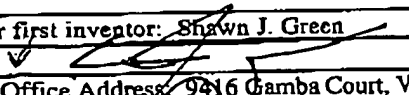
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Full name of sole or first inventor: Shawn J. Green	Citizenship: USA
Inventor's signature 	Date: 11/25
Residence and Post Office Address: 9416 Gamba Court, Vienna, Virginia 22182	

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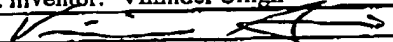
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Sima Singadia Kulkarni, Esq.

Full name of sole or first inventor: Vininder Singh	Citizenship: USA
Inventor's signature: 	Date: 12/7/99
Residence and Post Office Address: 220 Kentlands Boulevard, Apt. 104, Gaithersburg, Maryland 20878	

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: Holaday et al.  
Application No.: 09/397,303  
Filed: September 15, 1999  
for: Flow Electroporation Chamber and Method )

) Attorney's Docket No. 05213-0185

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: EntreMed, Inc.

ADDRESS OF CONCERN: 9640 Medical Center Drive, Rockville, Maryland 20850

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal years, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above, with regard to the invention entitled "Flow Electroporation Chamber and Method" by inventors John W. Holaday, Peter H. Meserol, Doug Doerfler, Vininder Singh, and Shawn J. Green described in

- ☐ the specification filed herewith  
☒ U.S. Patent Application No. 09/397,303, filed September 15, 1999  
☐ patent No. \_\_\_\_\_, issued \_\_\_\_\_

The rights held by the above identified small business concern are exclusive.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

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NAME OF PERSON SIGNING: John W. Holaday, Ph.D.

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 9640 Medical Center Drive, Rockville, Maryland 20850

DATE: 12-07-99

SIGNATURE: 

PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Holaday et al.

Serial No. Not Yet Assigned

Filed: November 8, 2000

For: Flow Electroporation Chamber and Method


## APPOINTMENT OF ASSOCIATE ATTORNEYS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please recognize Richard T. Peterson, Reg. No. 35,320 and George T. Marcou, Reg. No. 33,014, both of the firm of Kilpatrick Stockton LLP, 700 13<sup>th</sup> Street, NW, Suite 800, Washington, D.C. 20005, as Associate Attorneys in the above-entitled application, and address all future communication to the firm.

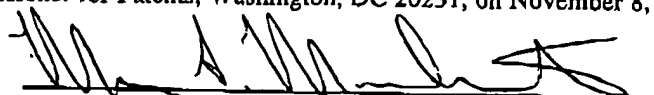
Respectfully submitted,

  
 By: Mary Anthony Merchant, Ph.D.  
 Reg. No. 39,771

KILPATRICK STOCKTON LLP  
 2400 Monarch Tower  
 3424 Peachtree Road, N.E.  
 Atlanta, Georgia 30326  
 (404) 949-3999  
 Our Docket: 45958-

(J&amp;A File: 20261-0187)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on November 8, 2000.

  
 Mary Anthony Merchant, Ph.D. - Reg. No. 39,771

003011-82640450